

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Robert W. Orlick,)	
)	
Plaintiff,)	Case No. 3:12-cv-41
)	
vs.)	AMENDED ORDER ADOPTING
)	REPORT AND RECOMMENDATION
Grand Forks Housing Authority, Liz)	
Simpson, Nancy Brander, Sherrie LeQuire,)	
Homestead Place, Inc., Brad Hillebrand,)	
Terry Hanson, and Matt Martin,)	
)	
Defendants.)	

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that Robert W. Orlick's complaint be dismissed because it does not raise viable, non-frivolous federal claims for housing discrimination and invasion of privacy (Doc. #28). Orlick objects to the Report and Recommendation, contending that his due process rights are violated by denying him the chance to present his case to a jury with the aid of counsel, and that he has without question presented viable federal claims to the Court.

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge's position is correct. For the reasons outlined by the Magistrate Judge, the Court **ADOPTS** the Report and Recommendation in its entirety and **ORDERS** that Orlick's federal claims are **DISMISSED WITH PREJUDICE**. The Court **FURTHER ADOPTS** the Magistrate Judge's recommendation and declines to exercise supplemental jurisdiction over the state law claims, and **ORDERS** that these are **DISMISSED WITHOUT PREJUDICE**. The Court **FURTHER ADOPTS** the Magistrate Judge's recommendation and finds that any appeal would be frivolous, could not be taken in good faith, and may not be taken *in forma*

pauperis. The Court **FINALLY ORDERS** that Orlick's Motion for Due Process (Doc. #33) is **DENIED** as a result of the dismissal of the federal claims..

IT IS SO ORDERED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated this 26th day of February, 2013

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court